

By 

H.C.R. No. 217

CONCURRENT RESOLUTION

1 WHEREAS, Wilson Raven alleges that:

2 (1) before July 1987, he constructed a warehouse for,
3 and according to certain building specifications of, the Texas
4 Rehabilitation Commission;

5 (2) the Texas Rehabilitation Commission, through the
6 State Purchasing and General Services Commission, entered into a
7 lease agreement with him for the period beginning July 1, 1979, and
8 ending June 30, 1989;

9 (3) the relationship between landlord and tenant was
10 successful until March 12, 1987, when the Texas Rehabilitation
11 Commission sent him a letter notifying him that the commission
12 would move sometime between September 15 and November 30, 1987;

13 (4) the Texas Rehabilitation Commission notified the
14 State Purchasing and General Services Commission on October 29,
15 1987, to cancel the lease effective December 31, 1987;

16 (5) the State Purchasing and General Services
17 Commission did not notify him, but advertised the space as
18 available to other state agencies;

19 (6) the Texas Rehabilitation Commission did not vacate
20 the premises until January 29, 1988;

21 (7) on January 29, 1988, the State Purchasing and
22 General Services Commission notified him that the lease was
23 canceled and that no other state agency would be occupying the
24 building;

1 (8) he sought 90 days' rent from the state under the
2 lease agreement but did not receive it;

3 (9) due to the lack of notice, he could not locate a
4 tenant;

5 (10) without a tenant, he could not afford the
6 mortgage on the building and was forced to sell the building at a
7 substantial loss; and

8 (11) due to the breach of contract on the part of the
9 commission, he has suffered substantial financial damages and loss
10 of property and seeks adequate compensation; now, therefore, be it

11 RESOLVED by the Legislature of the State of Texas, That
12 Wilson Raven is granted permission to sue the State of Texas, the
13 Texas Rehabilitation Commission, and the State Purchasing and
14 General Services Commission subject to Chapter 107, Civil Practice
15 and Remedies Code, as added by Chapter 524, Acts of the 70th
16 Legislature, Regular Session, 1987; and, be it further

17 RESOLVED, That the executive director of the Texas
18 Rehabilitation Commission and the chairman of the State Purchasing
19 and General Services Commission be served process as provided by
20 Section 107.002(a)(3), Civil Practice and Remedies Code, as added
21 by Chapter 524, Acts of the 70th Legislature, Regular Session,
22 1987.

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HOUSE CONCURRENT RESOLUTION

Granting Wilson Raven permission to sue the state, the Texas Rehabilitation Commission, and the State Purchasing & General Services Commission.

APR 18 1989

1. Filed with the Chief Clerk.

APR 19 1989

2. Read first time and referred to Committee on

Judicial Affairs

3. Reported favorably (as amended) and sent to Printer at _____ : ____ M.
unfavorably (time)

4. Printed and distributed at _____ : _____ M.
(time)

5. Sent to Committee on Calendars at _____:_____ M.
(time)

6. Read and (adopted) (failed) (as amended) by a (Non-Record Vote) (Record Vote of _____ years, _____ days, _____ present, not voting).

7. Ordered Engrossed _____ : _____ M.
(time)

8. Engrossed.

9. Returned to Chief Clerk at _____ : _____ M.
(time)

10. Sent to Senate.

Chief Clerk of the House

_____ 11. Received from the House.

_____ 12. Read first time and referred to Committee on _____

_____ 13. Reported favorably.

_____ 14. Ordered not printed by the Senate.

_____ 15. Immediate consideration ordered by (unanimous consent)
(_____ yeas, _____ nays)

_____ 16. Read and adopted.

Secretary of the Senate

_____ 17. Returned to the House.

_____ 18. Received from the Senate (with amendments).

_____ 19. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 20. Conference Committee Ordered.

_____ 21. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 22. Ordered Enrolled at _____ : _____ M.
(time)